

Of posts for legal
posting of public
notices.

designate three places in the town as public, or the most public places of such town, and that all legal notices required to be posted in three public, or the most public places of a town, shall be posted up at such places at least, and they shall make provision for the erection and maintenance of suitable posts on which to post up notices [as] aforesaid, in all places so designated, in which there is no sufficient natural convenience for that purpose.

SEC. 3. This act to take effect and be in force from and after its publication.

Approved March 8, 1873.

CHAPTER CI.

AN ACT TO AMEND SECTIONS THREE AND EIGHT OF CHAPTER SEVENTY-ONE OF THE GENERAL LAWS OF EIGHTEEN HUNDRED AND SEVENTY, RELATING TO LIENS UPON LOGS AND LUMBER, IN THE FIRST LUMBER DISTRICT OF MINNESOTA.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That section three of chapter seventy-one of the general laws for the year one thousand eight hundred and seventy, be and the same is hereby amended so as to read as follows :

Sec. 3. Any person, company or corporation, having a lien upon or against any logs or timber pursuant to the provisions of this act, or of any other law, may enforce the same by attachment against such logs or timber in the district court of any county within the first lumber district of Minnesota, in which such logs or timber may be at the time of the commencement of the action, in the same manner prescribed in title nine of chapter sixty-six of the general statutes, so far as the same can be made applicable thereto, and not herein otherwise provided, or inconsistent herewith. Before any attachment shall be issued, the petitioner or claimant, or some one in his behalf, shall make an affidavit, setting forth that the defendant therein named is indebted to each [such] claimant or

How claims under the act may be enforced.

petitioner in a certain sum over and above all legal set-off, which sum shall be stated as near as may be, and that such indebtedness is due or accrued for labor or services on logs or timber, [describing such logs or timber], and that the claimant or petitioner has filed a lien thereon. Upon the making and filing of such affidavit, together with a complaint as required in civil actions in the office of the clerk of the district court of the county in which the logs or timber are at the time of filing said affidavit, the attachment shall be issued by the clerk of said court, upon the order of the judge of said district, or the court commissioner of any county thereof, and thereafter said claim shall be prosecuted in the manner provided by law for the prosecution of civil actions in the district court.

SEC. 2. That section eight of said act shall be amended so as to read as follows :

Sec. 8. The attachment issued by any justice of the peace shall be returned as an ordinary summons, and be in the following form, to-wit :

STATE OF MINNESOTA, }
County of } ss.

The state of Minnesota, to the sheriff or any constable of said county :

You are hereby commanded to attach the following goods and chattels, (here insert a description of the property described in the affidavit) or so much thereof as shall be sufficient to satisfy the sum of (here insert the amount mentioned as due in the affidavit) with interest and costs of suit in whosesoever hands or possession the same may be found in your county, and so provide that the same so attached may be subject to further proceedings thereon as the law requires, and also summon — if to be found, to be and appear before me at my office in said county on the — day of — A. D. 18— at — o'clock, in the —noon, to answer to — in a civil action to his damage, one hundred dollars or under.

Form of attachment.

Given under my hand at —, this — day of —, A. D. 18—

—————Justice of the Peace.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 4, 1873.